THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.6318 of 2006

Between:

G.Ellaiah.

.. PETITIONER

and

The A.P.State Police Housing Corporation Limited and others.

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RESPONDENTS

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ORDER:

The petitioner questions the action of the respondents in not

awarding contract, though he is the lowest tenderer.

A counter has been filed by the 2nd respondent stating that as per clause 25.1 of General Terms and Conditions of the Tender Notification, dated 25-01-2006, bids are invited on the e-procurement platform for construction of Police Station Building at Ramakrishnapuram, Adilabad District, from the contractors/contracting firms eligible as per clause-8 registered with State Government/Central Government other than Public Sector Undertakings.

It is further stated that in fact clause–8, which was wrongly printed in the Tender Notification, was incorporated as clause-25.9.

It is further stated that the petitioner is a contactor of A.P.State Police Housing Corporation, which is a Public Sector Undertaking. But, as per clause 2.59, the contractors registered with State Government/Central Government other than Public Sector Undertakings, alone are eligible and, therefore, the petitioner's tender was disqualified.

As the petitioner has not questioned the validity and illegality of incorporation of clause 2.59, instead of 8, in the Tender Notification and as the contract was already awarded to the 4th respondent and as the period of the contract was already over, the writ petition has become infructuous.

Accordingly, the writ petition is dismissed as infructuous. There shall be no order as to costs.

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16-03-2007

Prv